

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEOFFREY HOCKMAN, ROBERT D. FALOR
AND THE FALOR COMPANIES, an Illinois
Corporation,

Plaintiffs,

vs.

Case No. 07-CV-14268
HON. GEORGE CARAM STEEH

ROBERT C. SCHULER,

Defendant.

_____ /

ORDER GRANTING DEFENDANT'S MOTION FOR CLARIFICATION

This legal malpractice action arises out of defendant Robert Schuler's alleged mishandling and settlement of a lawsuit brought against plaintiffs Geoffrey Hockman, Robert D. Falor, and The Falor Companies. Schuler moved for summary judgment based on the doctrine of judicial estoppel and also for sanctions against plaintiffs and their counsel for alleged bad faith conduct. On September 9, 2008, this Court denied defendant's motions by written order (Doc. 47). Now before the Court is defendant's motion for clarification of that order. Having shown good cause, defendant's motion shall be granted.

Specifically, Schuler moves to clarify that three statements in the Court's September 9, 2008 order are not to be taken as judicial determinations of fact or law. Those statements are (1) "Schuler was also involved in the administration of these limited liability companies, and at various times provided legal services to these

entities,” (Doc. 47, p.2); (2)[a]fter \$200,000 had been payed to R&Z, Plaintiffs defaulted and R&Z executed upon the collateral,” (Doc. 47, p.2); and (3) “[a]s Schuler is a licensed attorney, it was reasonable for Hockman to assume that his interests were being represented by Schuler.” (Doc. 47, p. 6-7). Defendant is correct that none of the above quoted statements from the Court’s opinion are to be taken as the ultimate judicial determinations of fact or law. Accordingly, Schuler’s motion for clarification (Doc. 48) hereby is GRANTED.

SO ORDERED.

Dated: December 12, 2008

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
December 12, 2008, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk